

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for April 26, 2006 PLANNING COMMISSION MEETING

P.A.S.: Co Special Permit #06024

PROPOSAL: A special permit to place and live in a mobile home while building a permanent residence.

LOCATION: N. 176 Street and Branched Oak Road.

WAIVER REQUEST: NA

LAND AREA: 21.7 acres more or less.

CONCLUSION: In conformance with the Comprehensive Plan and County Zoning.

RECOMMENDATION:

Conditional Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 5 I. T. , located in the SW 1/4 of Section 25 T12N, R8E of the 6th P.M., Lancaster County, Nebraska.

EXISTING ZONING: AG Agriculture

EXISTING LAND USE: Farm land and a farm shed.

SURROUNDING LAND USE AND ZONING:

North: Farm land zoned AG Agriculture

South: Farm land zoned AG Agriculture

East: Farm land zoned AG Agriculture

West: Farm land zoned AG Agriculture

ASSOCIATED APPLICATIONS: None

HISTORY: Changed from AA Rural and Public Use to AG Agricultural in the 1979 zoning update.

COMPREHENSIVE PLAN SPECIFICATIONS: The 2025 Plan shows this as Agriculture. This is outside the Lincoln Growth Tiers.

UTILITIES: Private well and waste disposal proposed.

TOPOGRAPHY: Generally sloping to the south.

TRAFFIC ANALYSIS: N. 176th and Branched Oak Road are gravel county roads. N 176th is not graveled north of this application. The applicant worked with the County Engineer and contributed funding to gravel 176th from the south to their lot.

PUBLIC SERVICE: This is in the Greenwood Rural Fire District, Waverly School District # 145 and Norris Public Power District.

REGIONAL ISSUES: NA

ENVIRONMENTAL CONCERNS: There are no identified Historic resources.

AESTHETIC CONSIDERATIONS: n/a

ALTERNATIVE USES: farming and one dwelling.

ANALYSIS:

1. This request is for a temporary mobile home while constructing a residence, under the provisions of Article 13.001(20) " Trailers for residential occupancy when utilized in conjunction with construction of a residence and not to exceed three (3) years in duration."
2. This is a 21.7 acre parcel. The pole building/shed currently exists.
3. The applicant states this will be a temporary residence while building their new home.
4. The County Board has been approving these applications as a one year permit with renewals as a condition of approval rather than a blanket three years, in order to expedite the construction and maintain control of the situation. This permit is written for a one year permit to fit that policy.

CONDITIONS:

1. This approval permits one temporary mobile home which shall be removed at the end of 12 months from the adoption of this permit or at the time of occupancy of the house, whichever comes first. Building and Safety may extend this permit in one year increments up to a total of three years from the date of approval if progress is being made on the construction of the permanent residence.

2. Construction of a new house shall be initiated within six months and completed within twelve months of the County Board's approval of this special permit unless extended by the Building and Safety Department.
3. Once initiated, if the construction ceases for a period in excess of six months this permit shall terminate.
4. This permit is not renewable beyond the three years.
5. The construction plans shall comply with the approved plans

STANDARD CONDITIONS:

6. The following conditions are applicable to all requests:
 - 6.1 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 6.2 The County Clerk shall file a copy of the resolution approving the permit and the letter of acceptance with the Register of Deeds. The Permittee shall pay the recording fee in advance.

Prepared by:

Mike DeKalb, 441-6370, mdekalb@lincoln.ne.gov

DATE: April 11, 2006

APPLICANT: Kurtis and Judy Polivka
2400 W. Stirrup
Lincoln, NE 68523
(402) 314-2017

OWNER: same

CONTACT: same



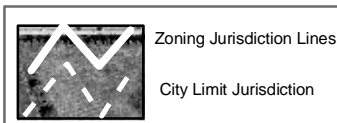
2005 aerial

County Special Permit #06024 N 176th St & Branched Oak Rd.

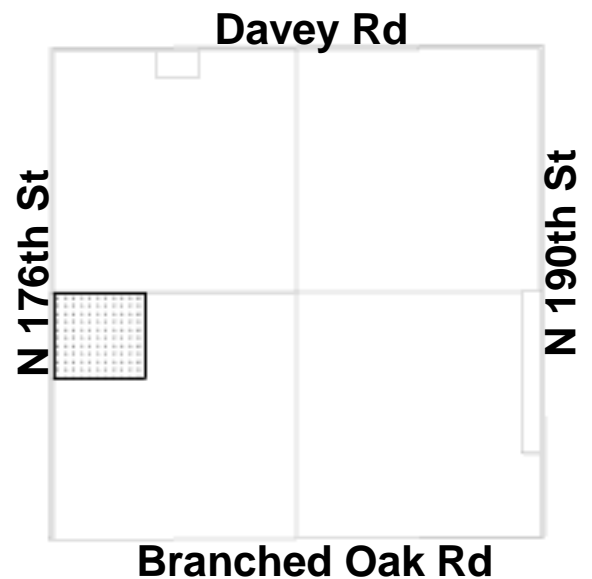
Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
Sec. 25 T12N R08E



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N
W + E
S

Section 25 T.12 N.
R. 8 E. of the
6th P.M.

Kurtis Potuka



East property line 921'

North property line 1026'

Shed
Trailer house
Future home
Driveway

176TH

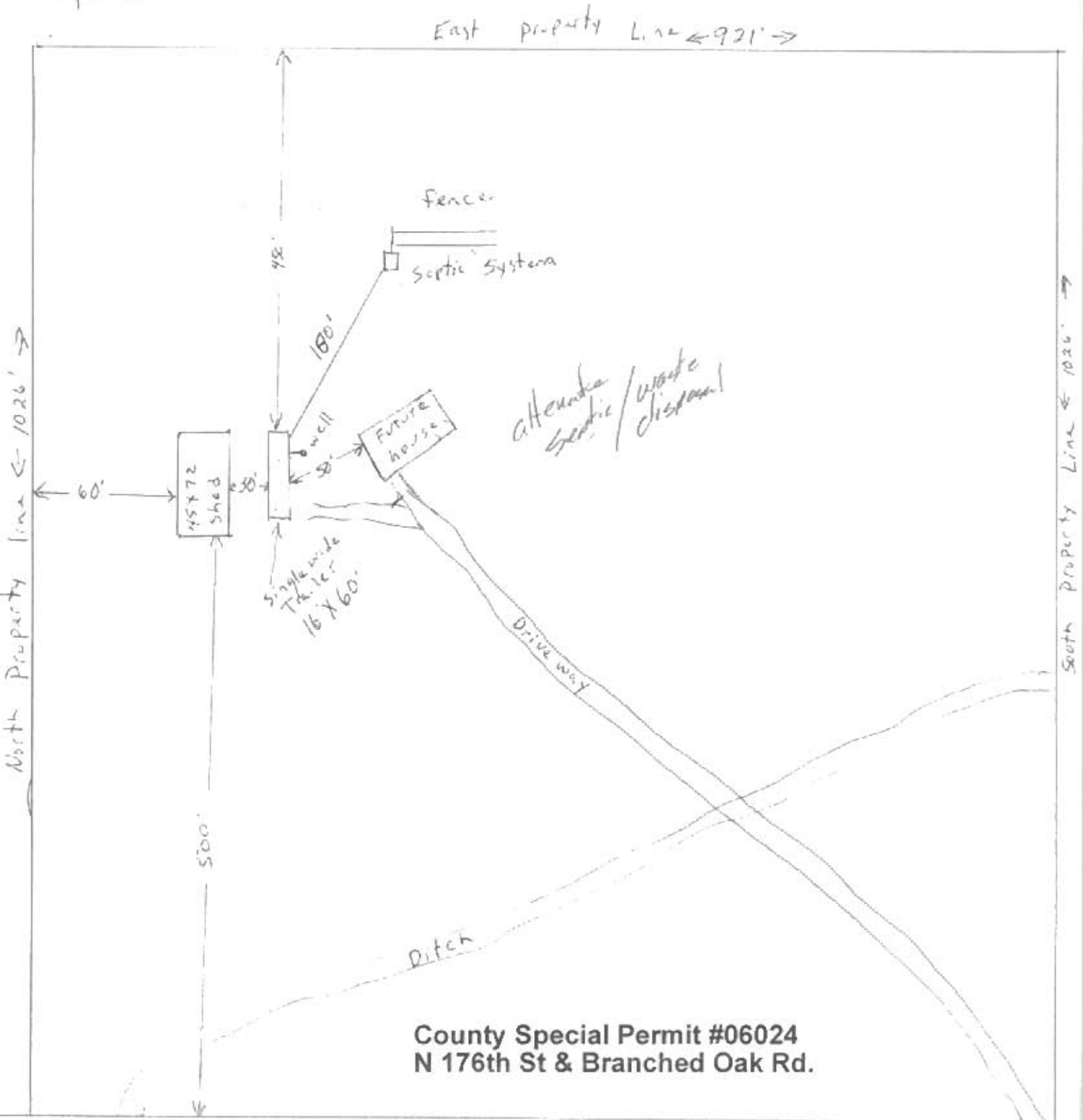
921'

South property line 1026'

BRANCHED OAK

County Special Permit #06024
N 176th St & Branched Oak Rd.

Section 25
 T. 12 N. R. 8
 E. of the 6th PM
 Kurtis Polivka



County Special Permit #06024
 N 176th St & Branched Oak Rd.

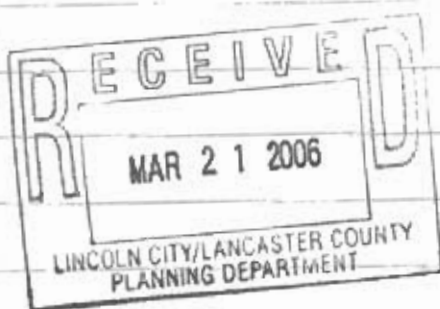
176th St

← 921' →

Property: Lot 5 section 25 T.12 N. R.8 E.

To whom it may concern,

Kurtis and Judy Polivka would like
to move a 16x60 mobile home
on to above said property
temporarily while building
permanent residence.



Kurtis Polivka
Judy Polivka

3-20-06

County Special Permit #06024
N 176th St & Branched Oak Rd.

OFFICIAL SURVEY RECORD

LINCOLN OFFICE
1233 HIGH ST., SUITE #3
LINCOLN, NE 68502
(402) 441-8790

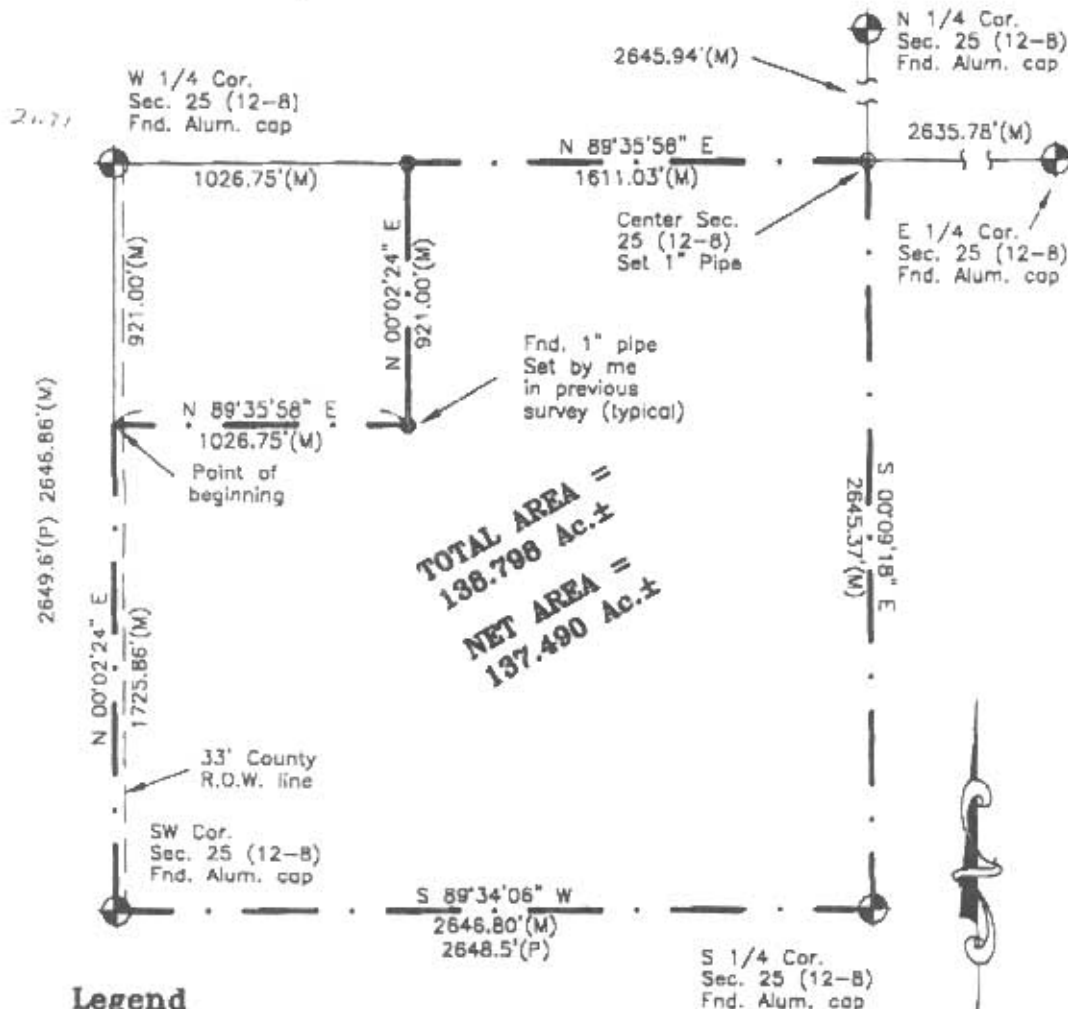
SEWARD OFFICE
143 SOUTH 6TH ST
SEWARD, NE 68434
(402) 843-8531

Survey of Prt. of the SW 1/4

Section 25 T. 12 N. R. 8 E. of the 6th P.M.

Lancaster County, Nebraska

Date of Survey Jan. 15, 1999 Job No. 10145R



Legend

- = Cor. Fnd.
- = Cor. Set
- = Cor. Set 1" Pipe
- (M) = Meas. Dist.
- (P) = Plat. Dist.
- (D) = Deed Dist.
- (R) = Record Dist.

Note: Iron pipes were also set on the 33' County right-of-way lines

Scale 1"=500'

Surveyor's Certificate

I, Jayme M. Malone, a Professional Registered Land Surveyor under the laws of the State of Nebraska, certify the above survey was executed by me, on the date shown. Permanent monument corners as described in the survey drawing were placed at all missing or remonumented corners. Distances shown are measured in feet and decimals of a foot.

Signed this 18 day of Jan, 19 99

Jayme M. Malone
JAYME M. MALONE
NEBRASKA REGISTERED LAND SURVEYOR
LS-440

MAR 21 2006

Nebraska L.S. # 440
Iowa L.S. # 11807
Kansas L.S. # 1113